

Notice of Allowability

Application No.

09/689,817

Examiner

Susy N Tsang-Foster

Applicant(s)

FUJIWARA ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 2/23/2004.
2. ☒ The allowed claim(s) is/are 1-10 and 17-37.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Fredric Zimmerman on 1 June 2004.

The application has been amended as follows:

IN THE CLAIMS:

Claim 23:

In claim 23, line 2, delete "in a range from greater than 26 μm to"

Claim 37:

In claim 37, line 1, change "34" to --36--.

Claim 38:

Cancel claim 38.

Drawings

2. The following changes to the drawings have been approved by the examiner and agreed upon by applicant: The proposed drawings changes for Figure 5 filed on 1/23/2003 have been approved by the Examiner. In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

3. **Reasons for the amendment:**

Claim 23 was amended to remove new matter from the claim. Claim 37 was amended to correct lack of antecedent basis. Claim 38 was cancelled because it contained new matter.

4. Claims 1-10, and 17-37 are allowed.

5. The following is an examiner's statement of reasons for allowance:

The closest prior art of record, Nagele et al. (US 4,816,359) discloses an electrode comprising polymer active material having a thickness of up to 10 mm (see col. 3, lines 1-44) but does not disclose, teach, or suggest that the electrode contains plasticizer. It would not have been obvious to one of ordinary skill in the art to add plasticizer to the polymer electrode because it is made by a different method such as electropolymerization where the polymer is deposited by anodic current (col. 2, lines 1-10) and the holes in the polymer films are formed by perforating by needling or piercing (col. 3, lines 1-6).

The closest prior art of record, Hoshi et al. (US 6,299,653 B1) discloses a molded electrode comprising a polymer active material and a current collector but does not disclose,

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teach or suggest any of the following features: 1) that the molded electrode comprises a plurality of current collector sheets; the electrode material and the current collector sheets are formed into one piece and the current collector sheets are spaced from each other in the thickness direction of the electrode or 2) that the ratio of the volume of the electrode material and the volume of the current collector sheet in the molded electrode is 30:1 to 100:1 provided the volume of the terminal portion of the current collector sheet is excluded from the volume of the current collector sheet, or 3) that the electrode comprises plasticizer and has a thickness of 300 micron to 9mm formed on at least one side of the current collector sheet.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

6. Any inquiry concerning this communication or earlier communications should be directed to examiner Susy Tsang-Foster, Ph.D. whose telephone number is (571) 272-1293. The examiner can normally be reached on Monday through Friday from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Ryan can be reached at (571) 272-1292.

The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

st/ *Susy Tsang-Foster*

Susy Tsang-Foster
Primary Examiner
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